

FILED
for Roanoke
DEC - 2 2010

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

JACOB ALLAN SHOUSE,
Plaintiff,

v.

TRACY RAY, et al.,
Defendants.

) Civil Action No. 7:09-cv-00440
)
)

) **ORDER**
)

) By: Hon. Jackson L. Kiser
) Senior United States District Judge

In accordance with the written memorandum opinion entered this day, it is hereby

ORDERED

that the Magistrate Judge's Report and Recommendation is **ADOPTED**; the correctional defendant's motion for summary judgment is **GRANTED**; the medical defendants' motion for summary judgment is **DENIED as moot**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff and counsel of record for the defendants.

ENTER: This 2nd day of December, 2010.

[Signature]
Senior United States District Judge